

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

STATE FARM FIRE AND
CASUALTY COMPANY, an Illinois
Company,

Plaintiff,

vs.

BENJAMIN KIMBLE AND BETH
KIMBLE, a married couple, BB&D
PROPERTIES, LLC, a Montana
limited liability company, and
KIMBLE DRYWALL, INC., a
Montana corporation,

Defendants.

CV 23-14-M-DLC

ORDER

The parties have stipulated to dismissal of this case with prejudice as to all claims and counterclaims, pursuant to Fed. R Civ. P. 41(a)(1)(A)(ii), without fees or costs to either party, the Court to retain jurisdiction to address any disputes regarding the parties' Settlement Agreement. (Doc. 22 at 2.)

When dismissal is pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), "the court is authorized to . . . retain jurisdiction over the settlement contract[] if the parties agree." *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994).

Accordingly, IT IS ORDERED that the above-captioned matter is DISMISSED WITH PREJUDICE as to all claims and counterclaims, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), without fees or costs to either party.

IT IS FURTHER ORDERED that the Court retains jurisdiction solely to resolve any disputes under the parties' Settlement Agreement.

DATED this 17th day of October, 2023.



Dana L. Christensen
District Judge
United States District Court